IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE WINCHESTER DIVISION

DAVID EARL ROACH,)
Plaintiff,)) Case No.
v.) Case No
SANFORD, L.P. and NEWELL	(Removed from the Circuit Court for
RUBBERMAID, INC.,	Bedford County, Tennesseeat Shelbyville,
Defendants.) Case No. 12379)
)
)

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332 and 1441, Defendants Sanford, L.P. ("Sanford") and Newell Rubbermaid, Inc. ("Newell") hereby provide notice of removal of this action.

- 1. This action was commenced in the Circuit Court of Bedford County, Tennessee on November 21, 2011, styled <u>David Earl Roach v. Sanford, L.P. and Newell Rubbermaid, Inc.</u>, Case No. 12379. A copy of all process and pleadings filed in the Circuit Court of Bedford County, Tennessee, is attached hereto.
- 2. Defendants Sanford and Newell were served with the Summons and the Complaint on November 28, 2011. This Notice of Removal is filed within thirty days after service of process on Defendants.
 - 3. Plaintiff is a citizen and resident of Shelbyville, Tennessee. (Compl. ¶ 1).

- 4. Defendant Sanford is a limited partnership formed in Illinois and its principal place of business is 2711 Washington Blvd, Bellwood, IL 60104. (Compl. ¶ 2).
- 5. Defendant Newell is a for profit corporation incorporated in Delaware and its principal place of business is Three Glenlake Parkway, Atlanta, GA, 30328. (Compl. ¶ 3).
- 6. Based on a fair reading of the Complaint, the amount in controversy in this action exceeds \$75,000. Plaintiff is seeking "compensatory damages, consequential damages, and incidental damages, including but not limited to emotional damages for future lost pay and lost benefits . . . in the amount of \$500,000.00" and punitive damages in the amount of \$1,500,000.00. (Compl. Prayer ¶ 2-3).
- 7. This Court has jurisdiction under the provisions of 28 U.S.C. § 1332 and this matter is one which may be removed to this Court, pursuant to the provisions of 28 U.S.C. § 1441, because complete diversity of citizenship exists between the parties and the amount in controversy exceeds the jurisdictional minimum.
- 8. Venue is proper pursuant to 28 U.S.C. § 1441(a) because this judicial district includes Bedford County, Tennessee.
- 9. Contemporaneously herewith, a true and correct copy of this Notice of Removal will be filed with the Circuit Court of Bedford County, Tennessee.

s/ Marcus M. Crider

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via the Court's electronic filing system:

H. Thomas Parsons 101 W. Main St. Manchester, TN 37355

Attorney for Plaintiff

on this 28th day of December, 2011.

s/ Marcus M. Crider